

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**OWEN J. ROGAL, D.D.S., P.C.,**

Plaintiff,

**V.**

**SKILSTAF, INC.,**

Defendant.

**CIVIL ACTION NO.**  
**3:06-cv-00728-MHT**

**DEFENDANT’S MOTION FOR LEAVE TO REPLY  
TO PLAINTIFF’S BRIEF IN OPPOSITION TO DEFENDANT  
SKILSTAF, INC.’S MOTION TO STRIKE JURY DEMAND**

In order to fully address the matters now before the Court, Defendant Skilstaf, Inc. (“Skilstaf”) respectfully moves the Court to permit Skilstaf to file a reply on or before August 22, 2007, to Plaintiff’s Brief in Opposition to Defendant Skilstaf, Inc.’s Motion to Strike Jury Demand (Doc. No. 74). As grounds for this motion, Skilstaf states as follows:

1. On August 17, 2007, the Court entered an order, indicating that Defendant's Motion to Strike Jury Demand had been set for submission without oral argument on August 22, 2007, with all briefs due by that date. (Doc. 73).
2. Plaintiff filed its Opposition on August 17, 2007. (Doc. 74).

3. Skilstaf is gathering information and would like to reply to the some of the legal arguments asserted in Plaintiff's Opposition. Skilstaf's counsel believes that it can gather the necessary information and draft its reply by Wednesday, August 22, 2007.

WHEREFORE, Skilstaf respectfully moves the Court to enter an order permitting Skilstaf to file a reply on or before August 22, 2007, to Plaintiff's Brief in Opposition to Defendant Skilstaf, Inc.'s Motion to Strike Jury Demand (Doc. No. 74).

Respectfully Submitted,

s/Charles A. Stewart III

Charles A. Stewart III (STE067)  
Bradley Arant Rose & White LLP  
The Alabama Center for Commerce  
401 Adams Avenue, Suite 780  
Montgomery, AL 36104  
Telephone: (334) 956-7700  
Facsimile: (334) 956-7701  
[cstewart@bradleyarant.com](mailto:cstewart@bradleyarant.com)

s/Amelia T. Driscoll

Amelia T. Driscoll (DRI016)  
Bradley Arant Rose & White LLP  
1819 Fifth Avenue North  
Birmingham, AL 35203-2104  
Telephone: (205) 521-8000  
Facsimile: (205) 521-8800  
[adriscoll@bradleyarant.com](mailto:adriscoll@bradleyarant.com)

Attorneys for Defendant  
Skilstaf, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on August 20, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Robert E. Cole  
437 Chestnut Street, Suite 218  
Philadelphia, PA 19106

Beth A. Friel  
Jeanne L. Bakker  
Mongtomery, McCracken, Walker & Rhoads  
123 South Broad Street  
Philadelphia, PA 19109

and I hereby certify that I have mailed by U. S. Postal Service the document to the following non-CM/ECF participants: None.

/s/ Amelia T. Driscoll